

Second Preliminary Amendment
Applicants: John C. Oslund et al.
Serial No.: 10/823,139

Attorney Docket: ev31010USD1

Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in this application:

1 (Original). A distal protection device disposable within a vessel of a body, comprising:

a filter basket positionable at a desired axial location within the vessel, said filter basket having a closed distal end and an open proximal end;
and

a self-expanding radial member associated with said filter basket in proximity to the proximal end thereof, said member being adapted to maintain the proximal end of said filter basket in an opened configuration.

2 (Original). The distal protection device of Claim 1, further comprising a guidewire upon which said filter basket is mounted, wherein at least one end of said filter basket is free-floating.

3 (Original). The distal protection device of Claim 2, wherein an opposite end of said filter basket is fixedly attached to said guidewire.

4 (Original). The distal protection device of Claim 2, wherein said filter basket is in the shape of a windsock, and said guidewire extends axially along said windsock.

5 (Original). The distal protection device of Claim 2, wherein said filter basket includes a tube through which said guidewire extends.

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6 (Original). The distal protection device of Claim 2, wherein said radial member comprises a loop, and wherein said loop is generally circular in shape.

7 (Original). The distal protection device of Claim 3, wherein said filter basket is in the shape of a windsock, and said guidewire extends axially along said windsock.

8 (Original). The distal protection device of Claim 3, wherein said filter basket includes a tube through which said guidewire extends.

9 (Original). The distal protection device of Claim 3, wherein said radial member comprises a loop, and wherein said loop is generally circular in shape.

10 (Original). The distal protection device of Claim 1, wherein said radial member is formed in a "C" configuration.

11 (Original). The distal protection device of Claim 1, wherein said radial member is formed in a "J" configuration.

12 (Original). The distal protection device of Claim 1, wherein said radial member is formed in a spiral configuration.

13 (Original). The distal protection device of Claim 6, wherein said radial loop is made of nitinol wire.

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14 (Original). The distal protection device of Claim 6, wherein said loop is radiopaque.

15 (Original). The distal protection device of Claim 6, wherein said loop is covered by a radiopaque material.

16 (Original). The distal protection device of Claim 6, wherein said loop, in its expanded state, generally defines a plane substantially perpendicular to said guidewire.

17 (Original). The distal protection device of Claim 6, wherein said loop, in its expanded state, is deployed at an angle of between 45 degrees and 90 degrees to said guidewire.

18 (Original). The distal protection device of Claim 6, wherein said filter basket and said loop are adapted to be collapsed to fit into a small diameter delivery catheter.

19 (Original). A method for capturing debris produced during a medical procedure in human vasculature, comprising the steps of:

- inserting a catheter containing a distal protection device in a collapsed configuration into human vasculature;
- deploying the distal protection device on a distal side of the vasculature affected by a medical procedure;
- maintaining the distal protection device generally concentrically within the vasculature; and

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capturing debris produced by the medical procedure within the distal protection device.

20 through 28 (Canceled).

29 (Original). Apparatus to facilitate proper positioning of a woven distal protection device within a generally tubular vessel of the body along a guidewire fed into the vessel, comprising:

an element mounting the distal protection device at a desired axial location along the guidewire; and
a collapsible, quasi-rigid spacer interwoven into a mouth of the distal protection device.

30 (Original). The distal protection device of Claim 4, wherein said guidewire extends axially within the windsock.

31 (Original). The distal protection device of Claim 2, wherein said filter basket includes a tube through which said guidewire extends, and wherein the end which is free-floating cooperates with said guidewire in a manner which allows the free-floating end to move axially along the guidewire until it engages an end of the tube.

32 through 55 (Canceled).

56 (Original). The distal protection device of Claim 6, further comprising alignment maintenance means for precluding rotation of said loop relative to said proximal end of said filter basket.

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57 (Original). The distal protection device of Claim 56 wherein said alignment maintenance means comprises at least one axially extending tether mating a point on said loop to a corresponding point at said proximal end of said filter basket.

58 (Original). The distal protection device of Claim 57 wherein said alignment maintenance means comprises a plurality of said tethers.

59 (Original). A method for capturing debris produced during a medical procedure in a human vessel, comprising the steps of:

- positioning a filter basket, having a closed distal end and an open proximal end, at a desired axial location within the vessel; and
- coupling a generally radially self-expanding member to the filter basket proximate the proximal end of the filter basket to maintain the proximal end of the filter basket in an opened configuration.

60 (Canceled).

61 (Original). A method for capturing debris produced during a medical procedure in a human vessel, comprising the steps of:

- providing a collapsible assembly including a filter basket positionable at a desired axial location within the vessel, the filter basket having a closed distal end and an open proximal end when the filter basket is deployed, and a generally radially self-expanding member disposed relative to the filter basket proximate the proximal end thereof, said member being adapted to maintain the proximal end of the filter basket in an opened configuration, when deployed;

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inserting a catheter, confining said assembly in a collapsed configuration, into the human vessel; and

deploying the assembly from the catheter to allow said member to urge a mouth defined by the proximal end of the filter basket into engagement with an inner surface of the vessel.

62 (New). A distal protection device disposable within a vessel of a body comprising:

a guidewire;

a tube sized to receive the guidewire;

a filter basket connected to the tube, the filter basket having a closed distal end and an open proximal end; and

a spacing member connected to the tube and positioned proximally of the proximal end of the filter basket, the spacing member being configured to maintain the proximal end of the filter basket in an opened configuration when the device is deployed within the vessel.

63 (New). The distal protection device of claim 62 wherein the tube is configured for rotational and axial movement along the guidewire.

64 (New). The distal protection device of claim 62 wherein the tube is fixed to the guidewire.

65 (New). A distal protection device disposable within a vessel of a body comprising:

a guidewire;

a tube sized to receive the guidewire;

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a filter basket connected to the tube, the filter basket having a closed distal end and an open proximal end; and

a spacing member having a first portion connected to the tube and a second portion opposite the first portion which is configured to contact an inner wall of the vessel at a point of engagement when the device is deployed in the vessel to space the guidewire a desired distance from the point of engagement, the spacing member being positioned proximally of the proximal end of the filter basket.

66 (New). The distal protection device of claim 65 wherein the tube is configured for rotational and axial movement along the guidewire.

67 (New). The distal protection device of claim 65 wherein the tube is fixed to the guidewire.

68 (New). A distal protection device disposable within a vessel of a body comprising:

a guidewire;

a tube sized to receive the guidewire;

a filter basket connected to the tube, the filter basket having a closed distal end and an open proximal end; and

a spacing member having first and second opposing portions, the first portion being connected to the tube, the second portion being configured to contact an inner wall of the vessel at a point of engagement when the device is deployed in the vessel such that the guidewire is urged in a direction away from the point of engagement, the spacing member being positioned proximally of the proximal end of the filter basket.

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69 (New). The distal protection device of claim 68 wherein the tube is configured for rotational and axial movement along the guidewire.

70 (New). The distal protection device of claim 68 wherein the tube is fixed to the guidewire.